

COMMENTS OF THE CITY OF MAYWOOD

These comments are filed by The City of Maywood in support of the comments filed by the National League of Cities and the National Association of Telecommunications Officers and Advisors ("NATOA"), and in opposition to the proposed rules. The City of Maywood believes that it and other local governments are able to promptly and fairly act upon applications for local franchises, providing no impediment to entry into the City. In support of this belief, we wish to inform the Commission about the facts of video franchising in our community.

Cable Franchising in Our Community

The City of Maywood has a population of approximately 30,000 residents. Our franchised cable provider is Comcast of Los Angeles, Inc. It will apparently soon be transferred to the control of Time Warner. Our community has negotiated cable franchises since 1976 with Comcast of Los Angeles, Inc. and its predecessor cable companies. It is fully built out and all residential areas of the City are served.

Competitive Cable Systems

Maywood has never been approached by a competitive service provider to provide service in the City, although many of its residents subscribe to a DBS service. The City Council would be pleased to entertain another service provider if there was interest.

P.E.G. Programming In Maywood

P.E.G programming is very important to Maywood. Comcast currently assists the City in publicizing and cablecasting local events, including local sporting events. Because of the City's size and the fact that it must share it's P.E.G. channels with several surrounding cities, the amount of truly local programming is quite limited. The City understands this, and does not seek more than it's appropriate share of local programming. However, to further

limit such programming, or to allow “competitive” systems to enter the City without providing similar service would be quite detrimental to the City’s residents.

Inhibition of Investment

Our local cable franchisee, Comcast, performed an extensive upgrade to its system within the past five years. It did so on its own, with neither encouragement nor impediment from the City. The upgrade has been beneficial to the company and the subscribers. The company offers digital cable, including HD and many on-demand channels, high speed internet, and telephone service. Although there are no competing systems in Maywood, it cannot be said that the lack thereof is as a result of any disincentives on the part of local government.

Conclusions

The local cable franchising process functions well in The City of Maywood. The City Council and staff work cooperatively with the cable provider to ensure that the needs of the residents are met without negatively impacting the provider’s bottom line. Regulation is limited to assisting residents in obtaining quality service and protecting the City’s rights of way from harm. We are protective of our residents, but are also mindful of the business needs of the franchisee.

Local cable franchising ensures that local cable operators are allowed access to the rights of way in a fair and evenhanded manner, that other users of the rights of way are not unduly inconvenienced, and that uses of the rights of way, including maintenance and upgrade of facilities, are undertaken in a manner which is in accordance with local requirements. Local cable franchising also ensures that our local community’s specific needs are met and that local customers are protected.

Local franchises thus provide a means for local government to appropriately oversee the operations of cable service providers in the public interest, and to ensure compliance with applicable

laws. There is no need to create a new Federal bureaucracy in Washington, D.C. to handle matters of specific local interest.

Finally, local franchises allow each community, including ours, to have a voice in how local cable systems will be implemented and what features (such as local educational and community channel programming, institutional networks, or local emergency alerts, etc.) will be available to meet local needs. These factors are equally present for new entrants as for existing users.

The City of Maywood therefore respectfully requests that the Commission do nothing to interfere with local government authority over franchising or to otherwise impair the operation of the local franchising process as set forth under existing Federal law with regard to either existing cable service providers or new entrants.

Respectfully submitted,
City of Maywood

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